

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

JAN 06 2004

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 84 DEPUTY CLERK

Board of Regents, The University of Texas
System, and 3D Systems, Inc.,

Plaintiffs,

v.

EOS GmbH Electro Optical Systems,
Defendant.

Civil Action No. A03 CA 113SS

**NOTICE OF FILING CORRECTED EXHIBIT 23 TO APPENDIX TWO TO
MOTION OF COUNTERCLAIM DEFENDANTS 3D SYSTEMS, INC.
AND 3D SYSTEMS CORPORATION FOR SUMMARY JUDGMENT ON
EOS'S ANTITRUST COUNTERCLAIM COUNT V**

Counterclaim Defendants 3D Systems Inc. and 3D Systems Corporation submit this Exhibit 23 (CORRECTED) to *Appendix Two To Motion Of Counterclaim Defendants 3D Systems, Inc. And 3D Systems Corporation For Summary Judgment On EOS's Antitrust Counterclaim Count V* to correct citations to excerpts of the deposition of Dr. Hans Langer.

At the time of drafting, Counterclaim Defendants were in possession of only a rough draft copy of the deposition transcript of Dr. Langer taken on December 17, 2003. Thus, the cites to Dr. Langer's deposition refer to the pages from the rough draft transcript. Immediately prior to filing, Counterclaim Defendants received the final copy of the deposition transcript of Dr. Hans Langer and attached the pages referenced in Counterclaim Defendants' motion as Exhibit 23. For the Court's convenience, Counterclaim Defendants provide a chart with the corrected Exhibit 23 that correlates the pagination differences between the rough draft version, which is cited in the brief, and the final version of Dr. Hans Langer's deposition transcript.

Dated: January 6, 2004

Respectfully submitted,

Philip E. Cook, by permission
PHILIP E. COOK

California State Bar No. 149067

Admitted *pro hac vice*

ROBERT W. DICKERSON

California State Bar No. 89367

Admitted *pro hac vice*

JONES DAY

555 West Fifth Street

Suite 4600

Los Angeles, California 90013-1025

Telephone: (213) 489-3939

GRAY, CARY, WARE & FREIDENRICH LLP

ALAN D ALBRIGHT

Federal Bar No. 13048

Texas State Bar No. 00973650

ELIZABETH J. BROWN FORE

Texas State Bar No. 24001795

1221 South MoPac Expressway, Suite 400

Austin, TX 78746-6875

Telephone: (512) 457-7000

Facsimile: (512) 457-7001

Attorneys for Plaintiffs

BOARD OF REGENTS, THE

UNIVERSITY OF TEXAS SYSTEM,

and 3D SYSTEMS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served in the following manner to the following counsel of record on this 6th day of January, 2004.

Thomas H. Watkins
Albert A. Carrion, Jr.
HILGERS & WATKINS P.C.
98 San Jacinto Boulevard
San Jacinto Center, Suite 1300
Austin, Texas 78701
(512)476-4716
(512) 476-5139 Facsimile

Via Certified Mail

Michael H. Baniak
Michael D. Gannon
BANIAK PIKE & GANNON
150 N. Wacker Drive, Suite 1200
Chicago, Illinois 60606
(312) 673-0360
(312) 673-0361 Facsimile

Via Federal Express

Attorneys for Defendant
EOS GMBH ELECTRO OPTICAL SYSTEMS


ELIZABETH J. BROWNFORE